

REMARKS**Status of the Claims**

In the Office Action mailed November 20, 2007, claims 17-25, 30-32, 35 and 36 are pending. Claims 18-25, 30-32, 35 and 36 have been allowed. Claim 17 was rejected. Claim 17 has been amended. No new matter has been added.

The following remarks are believed to be fully responsive to the Office Action. All the pending claims at issue are believed to be patentable over the cited references. Reconsideration and withdrawal of the outstanding rejection is respectfully requested in view of the following remarks.

Examiners Dixon and Mitchell are thanked for their telephone conference with Applicants' representative on January 24, 2008 during which time an amendment to claim 17 was discussed. Agreement was not reached.

Claim Rejections - 35. U.S.C. §102(e)

Claim 17 is rejected under 35. U.S.C. § 102(b) as being anticipated by U.S. Patent No. 7,171,965 to Young et al. (hereinafter "Young"). This rejection is respectfully traversed.

Young does not teach or suggest, at least, inter alia, "a deagglomerator positioned between the magazine and the mouthpiece for creating turbulent airflow," as recited in claim 17. Young discloses a breath actuated inhaler having a dose tape for medicament. The tape can be separated into a first strip section and a second strip section. The first strip section includes a formpack layer and a lidstock layer surrounding blisters of medicament, whereas the second strip section includes a tear strip and spaced apart disks of the lidstock layer attached to the tear strip. The inhaler, upon use, opens a blister of medicament when a user inhales through the mouthpiece. (Col. 2, ll. 6-43). However, Young fails to

disclose a mechanism or structure for creating turbulent air flow that distributes the medicament within the airflow.

Since Young does not teach each and every element of claim 17, the reference cannot be said to anticipate the recited claim. Accordingly, withdrawal of the rejection is respectfully requested.

CONCLUSION

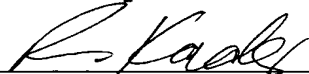
As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

By



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